



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

TRUSTS—SPENDTHRIFT—VESTED RIGHT IN CESTUI ALLOWS CLAIMS OF CREDITORS ON TRUST PROPERTY.—The testatrix devised certain property to a trustee for the benefit of her surviving husband, stipulating that the annual rents, issues, and profits therefrom be given to him outright in periodic payments and that these payments be not liable for his debts. The plaintiff, a judgment creditor of the defendant husband, prayed to have the latter's net income diverted to him until the debt be fully satisfied. No discretion over the income was placed in the trustee, and no right to withhold or accumulate it, nor the power to spend it in support of the beneficiary existed with the trustee as incidents of a spendthrift trust under the statute. Pub. Acts (Conn.) 1899, c. 210 (Gen. St., 1918, §§ 5877, 5878). *Held*, no spenpthrift trust existed in favor of the defendant and, despite the terms of the devise to the contrary, his income was liable for his debts. *Carter v. Brownell* (Conn.), 111 Atl. 182. See Notes, p. 215.

WILLS—REVOCATION—LETTER DIRECTING DESTRUCTION OF WILL IN CUSTODY OF SOME PERSON OTHER THAN TESTATOR.—The New York Statute provided:

"No will in writing, except in the cases hereinafter mentioned, nor any part thereof, shall be revoked, or altered, otherwise than by some other will in writing, or some other writing of the testator, declaring such revocation or alteration, and executed with the same formalities with which the will itself was required by law to be executed; or unless such will be burnt, torn, canceled, obliterated or destroyed, with the intent and for the purpose of revoking the same, by the testator himself, or by another person in his presence, by his direction and consent; and when so done by another person, the direction and consent of the testator, and the fact of such injury or destruction, shall be proved by at least two witnesses."

The will of the testatrix was in the custody of her attorney. She wrote him a letter directing him to destroy the will, and had such letter attested by the number of witnesses requisite for the execution of a will. The attorney, however, did not destroy the will, and shortly afterward the testatrix died. *Held*, the will was not revoked. *In re McGill's Will* (N. Y.), 128 N. E. 194, 181 N. Y. Supp. 48.

Statutes relating to the revocation of wills are not to be construed with too great strictness. *In re Schuster's Will*, 181 N. Y. Supp. 500. However, no act less than that required by law can ever operate to revoke or alter a validly executed will. *In re Chambers' Estate*, 183 N. Y. Supp. 526; *In re Ballard's Estate*, 56 Okla. 149, 155 Pac. 894; *Evans v. Evans* (Tex. Civ. App.), 186 S. W. 815.

It is fundamental that mere intent, however strong, without physical acts cannot operate to revoke or alter a will. *McIntyre v. McIntyre*, 120 Ga. 67, 47 S. E. 501, 102 Am. St. Rep. 71; *In re Curtis' Will*, 119 N. Y. Supp. 1004; *Bohleber v. Rebstock*, 255 Ill. 53, 99 N. E. 75, 41 L. R. A. (N. S.) 105.

Destruction of a will at the direction of the testator, at a distance from him, is not equivalent to his act. *In re Hughes' Will*, 114 N. Y.